

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ROBERTO GOMEZ,

X

Plaintiff,

Case No. 1:20-cv-02820 (ARR) (TAM)

-against-

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

BELLACICCO DISTRIBUTION CORP.,
MICHAEL WEEKS AND MICHAEL
WEEKS, JR.,

Defendants.

X

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Roberto Gomez ("Plaintiff") and Bellacicco Distribution Corp., Michael F. Weeks, (incorrectly identified as "Michael Weeks" in the Complaint), and Michael G. Weeks (incorrectly identified as "Michael Weeks, Jr." in the Complaint (collectively "Defendants") through their respective undersigned counsel that, in accordance with Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the Complaint in the above-captioned action including all claims alleged therein as between the Plaintiff and Defendants is dismissed with prejudice, with each party to bear their own fees and costs; and

IT IS FURTHER STIPULATED AND AGREED THAT the Plaintiff is precluded from bringing or pursuing any further claims under the Fair Labor Standards Act, the New York State Labor Law including the Wage Theft Prevention Act, or any federal, state or local law, for unpaid wages, including overtime pay, for the period set forth in Plaintiff's Complaint.

IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be executed in counterparts with scanned PDF or Facsimile signatures treated as originals.

This Court shall retain jurisdiction to enforce the Parties' Settlement Agreement and Release.

Meltzer, Lippe, Goldstein & Breitstone, LLP
Attorneys for Defendants

Akin Law Group PLLC
Attorneys for Plaintiff

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SO-ORDERED /s/(ARR)

Hon. Allyne R. Ross

8/1/21